



County of Los Angeles CHIEF EXECUTIVE OFFICE

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From: William T Fujioka
Chief Executive Officer

WASHINGTON, D.C. UPDATE - PURSUIT OF COUNTY POSITION ON CHILD SEX TRAFFICKING LEGISLATION

This memorandum contains a pursuit of County position on legislation to combat child sex trafficking and assist its victims, including through grants to state and local governments.

Background

Child sex trafficking -- the commercial sexual exploitation of children (CSEC) -- is a major problem in the United States. Actual data on the number of child sex trafficking crimes and victims, however, is not collected, nationally. Sex trafficking is not classified as a crime in the national Uniform Crime Report (UCR) crime-reporting system, and the broader term, "human trafficking," was only recently added as a crime in the UCR in January 2013. The Federal Bureau of Investigations (FBI) has designated Los Angeles as one of the nation's High Intensity Child Prostitution areas.

The County has played a leading role in combatting child sex trafficking, which is a Board priority. In 2011, the County's Probation Department and Juvenile Court were awarded multi-year grants to supervise and serve sexually trafficked youth in the juvenile justice system through a multi-agency team approach in a specialized juvenile court that avoids the typical adversarial nature of delinquency proceedings. These nationally recognized projects, which were funded by State of California from its Federal Title II Juvenile Justice Formula Grant allocation, will end on December 31, 2014.

The Probation Department and Juvenile Court sought funding through the State because other direct Federal grant funding to assist child sex trafficking victims is extremely limited. There are a few Federal grants for assisting trafficking victims that

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are authorized by the Trafficking Victims Protection Act (TVPA), but those grants have received little or no funding. For example, the County is eligible to receive funding from the following two existing programs for which funds have not been appropriated:

Sex Trafficking Block Grants to state and local governments to provide services to child sex trafficking victims (authorized funding level of \$8 million a year); and

Pilot Program for Residential Treatment Facilities to provide services (including shelter and counseling) to juvenile trafficking victims, and assess the benefits, feasibility, and need for providing residential treatment facilities to them at three pilot sites (authorized funding level of \$5 million a year).

Justice for Victims of Trafficking Act

There is bipartisan support for combatting child sex trafficking and assisting its victims in the current 113th Session of Congress. The Justice for Victims of Trafficking Act (JVTA) of 2013, S. 1738 (Cornyn, R-TX) and H.R. 3530 (Poe, R-TX) which were introduced on November 19, 2013, has bipartisan support. Senator Feinstein has co-sponsored S. 1738, and Representatives Bass, Cardenas, and Lowenthal from the County's Congressional delegation have co-sponsored H.R. 3530. The JVTA legislation includes provisions to:

- Increase penalties (including financial penalties) for human trafficking offenses, including for the sexual exploitation and other abuse of children;
- Create a Domestic Trafficking Victims Fund ("Fund") into which financial penalties paid by traffickers would be deposited and used to fund support programs for victims of human trafficking and child pornography in Federal Fiscal Years (FFYs) 2015 through 2019;
- Replace the Pilot Program for Residential Treatment Facilities with a new Victim-Centered Child Human Trafficking Block Grant to help state and local governments to implement comprehensive programs to investigate and prosecute human traffickers and rescue and assist victims, and to establish specialized court programs for trafficking victims. Up to \$7 million a year from the newly created Fund would be authorized to fund the block grant in FFYs 2015 through 2019;
- Increase restitution for human trafficking victims; and
- Allow Federal racketeering ("RICO") laws to be used to prosecute any person or entity that knowingly assists an organized crime enterprise in committing two or more acts of human trafficking.

If enacted, the JVTa would increase the ability of the Federal government to investigate and prosecute human trafficking crimes and help its victims. Its new Fund into which fines paid by human traffickers would be deposited also will help state and local governments to combat child sex trafficking. However, the amount of potential available funding to the County would be small because annual funding for its new block grant would be capped at \$7 million nationwide. While the new program is called a block grant, it actually would award competitive grants to only a few state and local governments. It would be helpful if more Federal funding were authorized and appropriated for child sex trafficking grants to state and local governments.

Both JVTa bills (S. 1738 and H.R. 3530) are referred to the Judiciary Committee of their respective houses. Committee action has not been scheduled on either bill. However, the House Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations held a hearing on domestic minor sex trafficking on March 26, 2014. As noted earlier, there is bipartisan support for strengthening Federal human trafficking laws and activities. Language from the JVTa bills could be incorporated into another legislative vehicle for strengthening Federal human trafficking laws similar to how Trafficking Victims Protection Act programs most recently were reauthorized through a Violence Against Women Act reauthorization bill.

Pursuit of County Position on Legislation

The County's Federal Legislative Agenda includes policies to support increased funding for juvenile justice programs and services that assist abused and neglected children, and the County's State Agenda includes policies to support legislation that develops or enhances programs and services for victims of child sex trafficking and increases penalties for individuals involved in the commercial sexual exploitation of children. **Based on these existing policies, and unless otherwise instructed by the Board, the County's Washington, D.C. advocates will support increased appropriations for grants that would help the County to combat child sex trafficking and assist its victims; and support legislation, such as the Justice for Victims of Trafficking Act, which would increase penalties on child sex traffickers and authorize increased funding for child sex trafficking grants to state and local governments.**

We will continue to keep you advised.

WTF:RA
MR:MT:ma

c: All Department Heads
Legislative Strategist